

US009345532B2

## (12) United States Patent Laufer

## (54) METHODS AND DEVICES FOR ABLATION OF TISSUE

(75) Inventor: Michael D. Laufer, Menlo Park, CA

(US)

(73) Assignee: Broncus Medical Inc., San Jose, CA

(US)

(\*) Notice: Subject to any disclaimer, the term of this

patent is extended or adjusted under 35

U.S.C. 154(b) by 546 days.

(21) Appl. No.: 13/469,805

(22) Filed: May 11, 2012

(65) Prior Publication Data

US 2013/0046296 A1 Feb. 21, 2013

## Related U.S. Application Data

- (63) Continuation-in-part of application No. 13/107,720, filed on May 13, 2011, now Pat. No. 8,709,034, and a continuation-in-part of application No. 13/107,759, filed on May 13, 2011.
- (60) Provisional application No. 61/486,206, filed on May 13, 2011, provisional application No. 61/485,621, filed on May 13, 2011.
- (51) **Int. Cl.**A61B 18/04 (2006.01)

  A61B 18/14 (2006.01)
  - (Continued)

(52) **U.S. CI.** CPC . **A61B 18/14** (2013.01); **A61B 5/06** (2013.01); **A61B 18/082** (2013.01);

(Continued)

(58) Field of Classification Search

CPC .. A61B 18/14; A61B 18/082; A61B 18/1492; A61B 5/06; A61B 2018/1425; A61B 2018/00577; A61B 2018/00601; A61B 2018/1213; A61B 2019/202

(45) Date of Patent: May 24, 2016

US 9,345,532 B2

## (56) References Cited

(10) **Patent No.:** 

#### U.S. PATENT DOCUMENTS

2,127,903 A 8/1938 Bowen 3,174,851 A 3/1965 Buehler et al. (Continued)

## FOREIGN PATENT DOCUMENTS

EP 0316789 A2 5/1989 EP 0347098 A2 12/1989 (Continued)

## OTHER PUBLICATIONS

Choong, C., et al., "Feasibility and safety of airway bypass stent placement and influence of topical mitomycin C on stent patency," *J. Thorac. Cardiovasc Surg.*, 129:632-638, 2005.

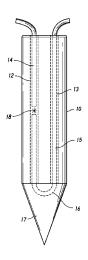
(Continued)

Primary Examiner — Ashley Fishback (74) Attorney, Agent, or Firm — Levine Bagade Han LLP

## (57) ABSTRACT

Various apparatus and methods for ablating tissue are described therein. In certain variations, a method for ablating tissue may include advancing one or more electrodes, e.g., a first electrode and a second electrode, to or near a target tissue in a subject. The electrodes may be energized such that the electrodes create a plasma arc. The plasma arc generates heat which desiccates or ablates the target tissue. An apparatus for ablating tissue may include an elongate instrument, e.g., a tube or rod. One or more electrodes, e.g., a first electrode and a second electrode, may be provided in the elongate instrument. The electrodes may be energized such that the electrodes create a plasma arc for generating heat to desiccate or ablate a target tissue.

## 19 Claims, 2 Drawing Sheets



## US 9,345,532 B2

Page 2

(51) <b>Int. Cl.</b>		4,892,098 A	1/1990	Sauer
A61B 18/08	(2006.01)	4,892,099 A		Ohkawa et al.
A61B 18/00	(2006.01)	4,899,757 A		Pope, Jr. et al.
	•	4,917,097 A		Proudian et al.
A61B 18/12	(2006.01)	4,920,954 A		Alliger et al.
A61B 19/00	(2006.01)	4,921,483 A 4,924,863 A	5/1990	Wijay et al.
A61B 5/06	(2006.01)	4,930,525 A		Palestrant
(52) U.S. Cl.		4,936,281 A	6/1990	
	02 (2012 01): 4618 2019/00577	4,955,377 A		Lennox et al.
	92 (2013.01); A61B 2018/00577	4,957,508 A		Kaneko et al.
	<i>IB</i> 2018/00601 (2013.01); A61B	4,966,162 A	10/1990	
2018/1.	213 (2013.01); A61B 2018/1425	4,967,753 A		Haase et al.
(2013	3.01); <i>A61B 2019/202</i> (2013.01)	4,973,301 A		Nissenkorn
		4,976,690 A		Solar et al.
(56) Refere	nces Cited	4,977,898 A		Schwarzschild et al.
		4,991,602 A		Amplatz Martinelli
U.S. PATENT	ΓDOCUMENTS	5,002,058 A 5,030,201 A		Palestrant
		5,042,981 A	8/1991	
	Rozner et al.	5,047,026 A	9/1991	
3,406,685 A 10/1968		5,054,483 A		Marten et al.
	Boyd	5,061,275 A	10/1991	Wallsten et al.
	Omizo	5,064,435 A	11/1991	Porter
3,565,062 A 2/1971 3,617,060 A 11/1971	Kuris	5,069,664 A		Guess et al.
	2 Jackson	5,081,993 A		Kitney et al.
	Harrison et al.	5,100,423 A		Fearnot
	Eggleton et al.	5,102,417 A	4/1992	Palmaz Shimura et al.
	Pohlman et al.	5,105,816 A 5,105,817 A		Uchibori et al.
	Curtiss et al.	5,123,917 A	6/1992	
	King et al.	5,125,926 A		Rudko et al.
	Eamkaow	5,127,917 A		Niederhauser et al.
, , ,	Northeved	5,131,394 A	7/1992	Gehlbach
	Vilkomerson et al. Pratt	5,145,684 A		Liversidge et al.
	Colley et al.	5,148,809 A		Biegeleisen-Knight et al.
	Beran	5,155,435 A		Kaufman et al.
	Chmiel et al.	5,170,793 A 5,178,635 A		Takano et al.
	Lundquist	5,178,033 A 5,190,528 A		Gwon et al. Fonger et al.
4,355,426 A 10/1982	. MacGregor	5,201,316 A		Pomeranz et al.
	Vilkomerson	5,201,741 A		Dulebohn
	Trimmer et al.	5,209,721 A	5/1993	
	Harwood	5,220,924 A	6/1993	Frazin
	Treat  Dotter	5,226,421 A		Frisbie et al.
	i Raible	5,234,447 A		Kaster et al.
, ,	Whited	5,238,027 A	8/1993	
4,538,618 A 9/1985	Rosenberg et al.	5,246,011 A 5,246,014 A		Caillouette Williams et al.
4,582,067 A 4/1986	Silverstein et al.	5,254,112 A		Sinofsky et al.
	Mortensen	5,257,990 A	11/1993	
	Persson	5,259,385 A		Miller et al.
	Wallsten	5,261,409 A	11/1993	
4,658,817 A 4/1987 4,674,498 A 6/1987	' Hardy ' Stasz	5,263,992 A	11/1993	
	Yamamoto et al.	5,269,326 A	12/1993	
	Bales et al.	5,273,529 A	12/1993	
4,687,482 A 8/1987	Hanson	5,275,166 A 5,282,799 A	1/1994 2/1994	Vaitekunas et al.
4,702,252 A 10/1987	Brooks et al.	5,282,824 A		Gianturco
4,706,689 A 11/1987		5,287,861 A	2/1994	
	Wuchinich et al.	5,295,484 A		Marcus et al.
	Healey	5,299,578 A		Rotteveel et al.
	S Snyder	5,304,200 A	4/1994	Spaulding
	B Di Giuliomaria et al. Caldwell et al.	5,309,915 A	5/1994	
	McGough et al.	5,311,871 A	5/1994	
	Silverstein et al.	5,313,950 A		Ishikawa et al.
	3 Millar	5,316,001 A 5,318,564 A	6/1994	Ferek-Petric et al.
4,773,413 A 9/1988	Hussein et al.	5,318,304 A 5,320,106 A		Eggers Tanaka
	Schweighardt et al.	5,330,500 A	7/1994	
	Matsuo et al.	5,334,146 A	8/1994	
	Marten	5,334,183 A		Wuchinich
	Noerenberg et al.	5,334,210 A		Gianturco
	Parisi	5,338,305 A		Plyley et al.
	Schwarzchild et al.	5,339,289 A		Erickson
	Beresnev et al.	5,344,420 A		Hilal et al.
	Yoon	5,351,693 A		Taimisto et al.
4,870,953 A 10/1989	Don Micheal et al.	5,363,852 A		Sharkawy
4,887,606 A 12/1989	Yock et al.	5,363,853 A	11/1994	Lieber et al.

## US 9,345,532 B2 Page 3

(56)		Referen	ces Cited	5,638,819			Manwaring et al.
	HS P	ATENT	DOCUMENTS	5,645,559 5,647,871			Hachtman et al. Levine et al.
	0.5.1	Z LI LI LI	DOCOMENTS	5,653,746		8/1997	
5,366,504			Andersen et al.	5,655,548		8/1997	Nelson et al.
5,368,035			Hamm et al.	5,658,279 5,658,280		8/1997 8/1997	Nardella et al.
5,372,138 5,375,602			Crowley et al. Lancee et al.	5,672,172		9/1997	
5,377,682			Ueno et al.	5,674,242			Phan et al.
5,380,316			Aita et al.	5,674,277 5,674,298		10/1997	Freitag Levy et al.
5,381,795 5,383,460			Nordgren et al. Jang et al.	5,678,555		10/1997	O'Connell
5,383,887		1/1995		5,682,880		11/1997	
5,385,148			Lesh et al.	5,693,085 5,702,418		12/1997 12/1997	Buirge et al. Ravenscroft
5,389,096 5,402,792		2/1995 4/1995	Aita et al.	5,702,418		1/1998	Seward et al.
5,409,012			Sahatjian	5,713,949		2/1998	Jayaraman
5,409,019		4/1995	Wilk	5,716,393 5,718,701			Lindenberg et al. Shai et al.
5,411,466 5,413,601		5/1995	Hess Keshelava	5,720,735		2/1998	
5,421,955			Lau et al.	5,725,521	A	3/1998	Mueller
5,425,739	9 A	6/1995	Jessen	5,725,547		3/1998	
5,427,107			Milo et al.	5,725,572 5,728,068			Lam et al. Leone et al.
5,429,144 5,435,314		7/1995 7/1995		5,733,301	A		Forman
5,441,515			Khosravi et al.	5,736,642		4/1998	Yost et al.
5,443,498			Fontaine	5,741,234 5,741,333			Aboul-Hosn Frid
5,443,843 5,452,733		8/1995 9/1995	Curatolo et al. Sterman et al.	5,746,767			Smith
5,454,373	3 A	10/1995	Koger et al.	5,752,518			McGee et al.
5,454,809		10/1995		5,755,769 5,755,778		5/1998 5/1998	Richard et al. Kleshinski
5,456,258 5,458,120			Kondo et al. Lorraine	5,759,174			Fischell et al.
5,464,016			Nicholas et al.	5,759,769			
5,465,726			Dickinson et al.	5,762,638 5,779,642		6/1998 7/1998	Shikani et al.
5,466,242 5,470,308		11/1995	Mori Edwards et al.	5,782,762			Nightengale Vining
5,474,075			Goldberg et al.	5,792,119	A	8/1998	Marx
5,474,543	3 A	12/1995	McKay	5,795,325		8/1998 8/1998	Valley et al. Kim
5,484,416 5,485,841			Gittings Watkin et al.	5,797,920 5,807,261			Benaron et al.
5,500,012			Brucker et al.	5,810,008		9/1998	Dekel et al.
5,505,088	8 A	4/1996	Chandraratna et al.	5,810,836			Hussein et al.
5,509,900 5,514,154			Kirkman Lau et al.	5,819,723 5,824,046		10/1998 10/1998	Joseph Smith et al.
5,520,684		5/1996		5,824,048		10/1998	Tuch
5,522,822	2 A	6/1996	Phelps et al.	5,830,191		11/1998	Hildwein et al.
5,524,630			Crowley	5,830,222 5,840,431		11/1998 11/1998	Makower Kall
5,527,292 5,527,324			Adams et al. Krantz et al.	5,843,079		12/1998	Suslov
5,531,780		7/1996		5,843,158			Lenker et al.
5,536,240			Edwards et al.	5,843,175 5,846,205		12/1998 12/1998	Frantzen Curley et al.
5,540,713 5,545,195			Schnepp-Pesch et al. Lennox et al.	5,849,037		12/1998	Frid
5,545,208	8 A		Wolff et al.	5,851,210	A	12/1998	Torossian
5,545,210			Hess et al.	5,855,597 5,855,598		1/1999 1/1999	Jayaraman Pinchuk
5,554,118 5,554,152		9/1996 9/1996	Aita et al.	5,860,920		1/1999	McGee et al.
5,554,181	1 A	9/1996	Das	5,860,951		1/1999	Eggers et al.
5,555,886			Weng et al.	5,868,763 5,868,777		2/1999 2/1999	Spence et al. Lam
5,562,922 5,564,434			Lambert Halperin et al.	5,873,904		2/1999	Ragheb et al.
5,571,086	5 A		Kaplan et al.	5,876,345		3/1999	Eaton et al.
5,571,180		11/1996		5,876,434 5,876,445		3/1999 3/1999	Flomenblit et al. Andersen et al.
5,573,531 5,575,815			Gregory Slepian et al.	5,876,448	A	3/1999	Thompson et al.
5,575,818		11/1996		5,885,219		3/1999	Nightengale
5,588,432			Crowley	5,906,587 5,906,621		5/1999 5/1999	Zimmon Secrest et al.
5,593,417 5,593,442		1/1997 1/1997	Rhodes Klein	5,908,448		6/1999	Roberts et al.
5,596,989		1/1997		5,911,702	A	6/1999	Romley et al.
5,607,444	4 A	3/1997	Lam	5,916,158		6/1999	Webster, Jr.
5,615,679			Ri et al. Kinsella et al.	5,919,191 5,922,019		7/1999 7/1999	Lennox et al. Hankh et al.
5,616,608 5,618,301			Hauenstein et al.	5,935,135		8/1999	Bramfitt et al.
5,629,678			Gargano et al.	5,938,697	A	8/1999	Killion et al.
5,629,687		5/1997		5,951,567		9/1999	Javier, Jr. et al.
5,630,837 D380,266		5/1997 6/1997	Crowley Boatman et al.	5,954,636 5,954,649		9/1999 9/1999	Schwartz et al. Chia et al.
D380,200	<i>.</i> .3	0/199/	Doannan & al.	J,7J4,049	А	ファエフグラ	Chia Ct al.

# US 9,345,532 B2 Page 4

(56)		Referen	ces Cited	6,174,323 6,176,872			Biggs et al. Miksza
	HS	PATENT	DOCUMENTS	6,181,348		1/2001	
	0.5.	111111111	DOCOMENTO	6,183,444			Glines et al.
5,957,849	) A	9/1999	Munro	6,186,942			Sullivan et al.
5,957,919		9/1999		6,188,355		2/2001	
5,957,949			Leonhardt et al.	6,190,353 6,197,042			Makower et al. Ginn et al.
5,957,974 5,967,990			Thompson et al. Thierman et al.	6,200,313			Abe et al.
5,968,053		10/1999		6,200,564		3/2001	Lamont et al.
5,968,070		10/1999	Bley et al.	6,206,831			Suorsa et al.
5,971,767	7 A		Kaufman et al.	6,226,543			Gilboa et al. Makower
5,971,980			Sherman	6,231,587 6,235,024		5/2001	
5,972,017 5,976,178			Berg et al. Goldsteen et al.	6,235,054			Berg et al.
5,984,871			TenHoff et al.	6,239,705		5/2001	
5,989,276			Houser et al.	6,241,742			Spence et al.
5,993,484			Shmulewitz	6,241,746			Bosma et al.
6,001,124			Bachinski	6,245,020 6,245,057			Moore et al. Sieben et al.
6,002,955 6,003,517			Willems et al. Sheffield et al.	6,245,102			Jayaraman
6,004,269			Crowley et al.	6,246,784			Summers et al.
6,004,273			Sakamoto et al.	6,254,632			Wu et al.
6,004,319			Goble et al.	6,258,100			Alferness et al.
6,007,544		12/1999		6,258,115 6,261,601			Dubrul Talwar et al.
6,007,546 6,007,574			Snow et al. Pulnev et al.	6.264,690			Von Oepen
6,010,529			Herweck et al.	6,270,515			Linden et al.
6,011,995			Guglielmi et al.	6,270,524		8/2001	Kim
6,013,033	3 A	1/2000	Berger et al.	6,272,366		8/2001	
6,013,093			Nott et al.	6,273,907 6,280,457		8/2001	Wallace et al.
6,013,854			Moriuchi	6,283,951			Flaherty et al.
6,015,405 6,015,415			Schwartz et al. Avelianet	6,283,983			Makower et al.
6,019,783			Richard et al.	6,283,988			Laufer et al.
6,019,789			Dinh et al.	6,287,290			Perkins et al.
6,022,371		2/2000		6,290,728 6,292,494			Phelps et al. Baker et al.
6,024,703			Zanelli et al. Huebsch et al.	6,293,951			Alferness et al.
6,024,756 6,030,392		2/2000		6,299,604			Ragheb et al.
6,032,674			Eggers et al.	6,299,635		10/2001	Frantzen
6,036,702			Bachinski et al.	6,306,096			Seward et al.
6,045,511			Ott et al.	6,306,097 6,309,375			Park et al. Glines et al.
6,045,532			Eggers et al.	6,309,415			Pulnev et al.
6,048,362 6,053,940		4/2000 4/2000		6,309,416			Swanson et al.
6,053,941			Lindenberg et al.	6,325,825			Kula et al.
6,059,731		5/2000	Seward et al.	6,328,689	B1		Gonzalez et al.
6,059,81			Pinchasik et al.	6,331,116 6,334,869			Kaufman et al. Leonhardt et al.
6,063,111			Hieshima et al.	6,335,029			Kamath et al.
6,064,902 6,066,169			Haissaguerre et al. McGuinness	6,336,933	Bi	1/2002	
6,068,638			Makower	6,342,591	B1		Zamora et al.
6,070,094			Swanson et al.	6,343,936		2/2002	Kaufman et al.
6,074,349			Crowley	6,344,053 6,346,940			Boneau Fukunaga
6,074,362			Jang et al.	6,355,057			DeMarais et al.
6,074,416 6,080,109			Berg et al. Baker et al.	6,371,964			Vargas et al.
6,080,182			Shaw et al.	6,379,382		4/2002	
6,083,162		7/2000		6,380,732			Gilboa
6,093,195		7/2000		6,391,036		5/2002	Berg et al.
6,096,053		8/2000		6,394,093 6,394,956			Chandrasekaran et al.
6,099,563 6,102,887		8/2000	Altman	6,409,686			Guthrie et al.
6,112,123			Kelleher et al.	6,411,852	B1		Danek et al.
6,113,612			Swanson et al.	6,428,550			Vargas et al.
6,117,101	l A		Diederich et al.	6,440,163			Swanson et al.
6,120,432			Sullivan et al.	6,451,048 6,458,153			Berg et al. Bailey et al.
6,120,534 6,120,803		9/2000	Ruiz Wong et al.	6,466,687			Uppaluri et al.
6,124,523			Banas et al.	6,488,673			Laufer et al.
6,129,726			Edwards et al.	6,490,474			Willis et al.
6,135,997		10/2000	Laufer et al.	6,493,589	B1	12/2002	Medhkour et al.
6,143,019	) A		Motamedi et al.	6,505,065			Yanof et al.
6,152,937			Peterson et al.	6,506,408			Palasis
6,152,945			Bachinski et al.	6,508,822			Peterson et al.
6,159,225 6,162,245			Makower Jayaraman	6,511,491 6,514,249			Grudem et al. Maguire et al.
6,165,127			Crowley	6,514,249			Loomas
0,103,12		12/2000	C10 1110 y	J,JI 1,230		2, 2003	

# US 9,345,532 B2 Page 5

(56)			Referen	ces Cited	7,022,088			Keast et al.
	ī	IS P	ATENT	DOCUMENTS	7,052,501 7,086,398		8/2006	McGuckin Tanaka
	,	J. <b>D.</b> 1.	ALLIVI	DOCOMENTS	7,149,564			Vining et al.
	6,516,213	В1	2/2003	Nevo	7,169,164			Borillo et al.
	6,528,301	В1		Breme et al.	7,175,644			Cooper et al.
	6,533,812			Swanson et al.	7,179,220 7,191,101		2/2007 3/2007	Kukuk Knoplioch et al.
	6,551,302 I 6,554,848 I			Rosinko et al. Boylan et al.	7,226,442			Sheppard, Jr. et al.
	6,556,696			Summers et al.	7,226,472		6/2007	Pederson, Jr. et al.
	6,558,333			Gilboa et al.	7,232,409			Hale et al.
	6,574,498		6/2003		7,236,620		6/2007	Gurcan Summers et al.
	6,575,969			Rittman et al. Crowley	7,260,250 7,356,367			Liang et al.
	6,585,655 I 6,593,884 I			Gilboa et al.	7,422,563			Roshak et al.
	6,599,303			Peterson et al.	7,481,775			Weikel et al.
	6,599,311		7/2003	Biggs et al.	7,483,755			Ingle et al.
	6,602,263			Swanson et al.	7,517,320 7,815,590		10/2010	Wibowo et al.
	6,615,155 I 6,616,675 I		9/2003	Gilboa Evard et al.	7,963,925			Schecter
	6,620,176			Peterson et al.	7,985,187		7/2011	Wibowo et al.
	6,623,437			Hinchliffe et al.	8,235,908			Roshak et al.
	6,623,448		9/2003		8,308,682			Kramer et al. Escudero et al.
	6,629,951			Laufer et al.	8,337,516 8,409,167			Roschak
	6,634,363 I 6,635,279 I			Danek et al. Kolter et al.	8,784,400			Roschak
	6,635,281			Wong et al.	2001/0007940			Tu et al.
	6,650,923	B1		Lesh et al.	2001/0021872			Bailey et al.
	6,652,577		11/2003		2001/0026666 2001/0027339			Ferrera et al. Boatman
	6,652,582		11/2003		2001/0027339		10/2001	
	6,660,015 I 6,663,662 I			Berg et al. Pacetti et al.	2001/0044576		11/2001	
	6,667,051			Gregory	2001/0044650			Simso et al.
	6,673,084		1/2004	Peterson et al.	2001/0047180			Grudem et al.
	6,689,803		2/2004		2001/0052344 2002/0002401		1/2001	McGuckin et al.
	6,692,494 I 6,694,163 I		2/2004 2/2004	Cooper et al.	2002/0002401			Maguire et al.
	6,695,859			Golden et al.	2002/0028006			Novak et al.
	6,699,256			Logan et al.	2002/0028008			Fan et al.
	6,702,780			Gilboa et al.	2002/0032477			Helmus et al.
	6,702,829			Bachinski et al.	2002/0042564 2002/0042565			Cooper et al. Cooper et al.
	6,711,429 1 6,712,804 1			Gilboa et al. Roue et al.	2002/0042622			Vargas et al.
	6,712,812			Roschak et al.	2002/0049370			Laufer et al.
	6,712,845		3/2004	Hossainy	2002/0055772			McGuckin et al.
	6,719,698			Manor et al.	2002/0071902 2002/0087153			Ding et al. Roschak et al.
	6,719,781 I 6,730,064 I		4/2004	Ragheb et al.	2002/0091433			Ding et al.
	6,730,349			Schwarz et al.	2002/0111619	A1		Keast et al.
	6,749,576		6/2004		2002/0111620			Cooper et al.
	6,749,606			Keast et al.	2002/0119178 2002/0123786			Levesque et al. Gittings et al.
	6,770,070 I			Balbierz Ivancev et al.	2002/0123780			Roschak et al.
	6,785,410		8/2004	Vining et al.	2002/0131625	A1	9/2002	Vining et al.
	6,790,228	B2	9/2004	Hossainy et al.	2002/0133057		9/2002	Kukuk
	6,819,785			Vining et al.	2002/0138074 2002/0147462			Keast et al. Mair et al.
	6,829,379 I 6,833,814 I			Knoplioch et al.	2002/0147402			Sweezer et al.
	6,852,111		2/2004	Gilboa et al. Lieber	2002/0161377		10/2002	
	6,866,674			Galdonik et al.	2003/0017150		1/2003	
	6,869,443			Buscemi et al.	2003/0070676			Cooper et al.
	6,872,183			Sampson et al.	2003/0070682 2003/0120292			Wilson et al. Park et al.
	6,886,558 I 6,890,583 I			Tanaka Chudzik et al.	2003/0130657		7/2003	
	6,899,731			Li et al.	2003/0153971			Chandrasekaran
	6,909,913	B2	6/2005	Vining	2003/0204138		10/2003	
	6,918,869		7/2005		2003/0216806 2004/0055606			Togawa et al. Hendricksen et al.
	6,918,927 1 6,920,882 1			Bates et al. Berg et al.	2004/0060563		4/2004	Rapacki et al.
	6,929,637			Gonzalez et al.	2004/0073155			Laufer et al.
	6,941,950	B2	9/2005	Wilson et al.	2004/0073201			Cooper et al.
	6,960,219			Grudem et al.	2004/0073284			Bates et al.
	6,961,600			Kohl et al.	2004/0078054		4/2004	
	6,970,733 I 6,994,713 I			Willis et al. Berg et al.	2004/0093070 2004/0211434			Hojeibane et al. Loomas et al.
	6,996,430			Gilboa et al.	2004/0211434			Gonzalez
	6,997,189			Biggs et al.	2004/0220556	A1	11/2004	Cooper et al.
	7,011,094	B2	3/2006	Rapacki et al.	2004/0261203		12/2004	Dworzan
	7,014,654	B2	3/2006	Welsh et al.	2005/0016530	A1	1/2005	McCutcheon et al.

## US 9,345,532 B2

Page 6

(56)	Referen	nces Cited		/0046198 A1 /0046296 A1		Roschak et al. Laufer	
U.S.	PATENT	DOCUMENTS		/0046296 A1 /0123638 A1		Tom et al.	
0.5.	11111111	Becomments		/0123826 A1		Kramer et al.	
2005/0043751 A1		Phan et al.					
2005/0043752 A1		Phan et al.		FOREIG	N PATE	NT DOCUMEN	TS
2005/0049615 A1 2005/0056292 A1		Cooper et al. Cooper					
2005/0060041 A1		Phan et al.	EP		256 A1	8/1991	
2005/0060042 A1		Phan et al.	EP EP		729 A1 204 A1	11/2001 3/2004	
2005/0060044 A1 2005/0085801 A1		Roschak et al. Cooper et al.	EP		022 A2	7/2004	
2005/0085801 A1 2005/0096529 A1		Cooper et al.	EP		033 A2	12/2004	
2005/0107783 A1		Tom et al.	EP		035 A2	12/2004	
2005/0135662 A1		Vining et al.	EP		168 A2	3/2005	
2005/0137518 A1 2005/0137611 A1		Biggs et al. Escudero et al.	EP EP		283 A2 284 A2	4/2006 4/2006	
2005/0137011 A1 2005/0137712 A1		Biggs et al.	EP		499 A2	5/2007	
2005/0137715 A1	6/2005	Phan et al.	EP		365 A2	7/2007	
2005/0147284 A1		Vining et al.	JP	2001-1043	315	4/1989	
2005/0165342 A1 2005/0171527 A1		Odland Bhola	JP	2000-107		4/2000	
2005/0177144 A1		Phan et al.	WO WO	WO 87/05′		9/1987	
2005/0182295 A1		Soper et al.	WO	WO 89/06: WO 90/01:		7/1989 2/1990	
2005/0182475 A1		Jen et al.	WO	WO 91/08'		6/1991	
2005/0192526 A1 2005/0228268 A1	10/2005	Biggs et al.	WO	WO 95/02:		1/1995	
2005/0251202 A1		Ewers et al.	WO	WO 95/320		11/1995	
2005/0261550 A1		Akimoto et al.	WO	WO 96/258		8/1996	
2005/0288549 A1	12/2005		WO WO	WO 96/399 WO 97/170		12/1996 5/1997	
2006/0023966 A1 2006/0116749 A1		Vining Willink et al.	WO	WO 97/17. WO 97/17.		5/1997	
2006/0116749 A1 2006/0135984 A1		Kramer et al.	WO	WO 98/16		4/1998	
2006/0142672 A1	6/2006	Keast et al.	WO	WO 98/280	035	7/1998	
2006/0183973 A1		Kamrava	WO	WO 98/48′		11/1998	
2006/0254600 A1 2006/0276807 A1		Danek et al. Keast et al.	WO	WO 98/57:		12/1998	
2006/0280772 A1		Roschak et al.	WO WO	WO 99/010 WO 99/11		1/1999 3/1999	
2006/0280773 A1		Roschak et al.	WO	WO 99/254		5/1999	
2007/0010438 A1 2007/0016072 A1		Mayo et al. Grunwald et al.	WO	WO 99/384		8/1999	
2007/0010072 A1 2007/0092864 A1		Reinhardt et al.	WO	WO 99/609		12/1999	
2007/0123922 A1		Cooper et al.	WO WO	WO 00/214 WO 00/27:		4/2000 5/2000	
2007/0250070 A1		Nobis et al.	WO	WO 00/27.		5/2000	
2007/0255304 A1 2008/0009760 A1	1/2007	Roschak et al. Wibowo et al.	WO	WO 00/45		8/2000	
2008/0009700 A1 2008/0027273 A1		Gutterman	WO	WO 00/67		11/2000	
2008/0039715 A1		Wilson et al.	WO	WO 00/729	908	12/2000	
2008/0086107 A1		Roschak	WO	WO 00/74:		12/2000	
2008/0097139 A1 2008/0213337 A1		Clerk et al. Hermansson et al.	WO	WO 01/103		2/2001	
2008/0302359 A1		Loomas et al.	WO WO	WO 01/138 WO 01/284		3/2001 4/2001	
2008/0312543 A1		Laufer et al.	WO	WO 01/28		5/2001	
2009/0054805 A1 2009/0076491 A1		Boyle, Jr. Roschak et al.	WO	WO 01/320		6/2001	
2009/0070491 A1 2009/0124883 A1	5/2009		WO	WO 01/492		7/2001	
2009/0131765 A1		Roschak et al.	WO	WO 01/54:	585	8/2001	
2009/0143678 A1		Keast et al.	WO	WO 01/70		9/2001	
2009/0204005 A1 2009/0275840 A1		Keast et al. Roschak et al.	WO	WO 01/742		10/2001	
2009/0287087 A1		Gwerder et al.	WO WO	WO 01/893		11/2001	
2009/0318904 A9		Cooper et al.	WO	WO 02/002 WO 02/0640		1/2002 8/2002	
2010/0041949 A1		Tolkowsky	wo	WO 02/064		8/2002	
2010/0268316 A1 2010/0305463 A1		Brenneman et al. Macklem et al.	WO	WO 02/0698		9/2002	
2010/0312141 A1		Keast et al.	WO	WO 03/0203	338	3/2003	
2011/0082456 A1		Welt et al.	WO	WO 03/0719		9/2003	
2011/0146673 A1 2011/0146674 A1		Keast et al. Roschak	WO	WO 03/0733		9/2003	
2011/01466/4 A1 2011/0251592 A1		Biggs et al.	WO	WO 03/088		10/2003	
2011/0306997 A9	12/2011	Roshak et al.	WO WO	WO 03/097 WO 03/1034		11/2003 12/2003	
2012/0085346 A9		Roschak	WO	WO 2005/0069		1/2005	
2012/0089116 A9 2012/0123264 A9		Roschak Keast et al.	wo	WO 2005/0009		1/2005	
2012/0123204 A9 2012/0221013 A1*		Hawkins et al 606/128	WO	WO 2006/014		2/2006	
2012/0232523 A1		Roschak	WO	WO 2006/014		2/2006	
2012/0289776 A1		Keast et al.	WO	WO 2006/1303		12/2006	
2012/0289815 A1		Keast et al.	WO	WO 2006/1308		12/2006	
2013/0041373 A1	2/2013	Laufer	WO	WO 2007/0333	)/9	3/2007	

## (56) References Cited

## FOREIGN PATENT DOCUMENTS

WO	WO 2007/062406	5/2007
WO	WO 2008/063935	5/2008
WO	WO 2008/109760	9/2008

## OTHER PUBLICATIONS

Choong, C., et al., "Prolongaton of patency of airway bypass stents with use of drug-eluting stents," *J. Thorac. Cardiovasc. Surg.*, 131: 60-64, 2006.

Cordis Johnson & Johnson Gateway LLC: Bx Velocity Stent. Viewed at: http://www.jnjgateway.com/home.jhtm?loc=USENG &page=viewContent&contentId=fc0de00100001015 &parentId=fcde00100001015&specialty=Circulatory\_Disease\_Management&category=Cardiac\_Diagnosis\_Interventions &subcategory=Stents\_Balloon\_Expandable Viewed on Sep. 5, 2002, 4 pages (please note p. 4 of 4 is blank).

Fessler, H., "Collateral Ventilation, the Bane of Bronchoscopic Volume Reduction," *Am J. Respir Crit. Care Med.* (editorial), 171:423-425, 2005.

Flenley, D., et al., "Factors Affecting Gas Exchange by Collateral Ventilation in the Dog," *Respiration Physiology*, 15:52-69, 1972. Hogg, W., et al., "Gas Diffusion Across Collateral Channels," *Journal of Applied Physiology*, 33(5):568-575.

Lausberg, H., et al., "Bronchial fenestraton improves expiratory flow in emphysematous human lungs," Ann. Thorac. Surg., 75:393-398, 2003.

Macklem, P., "Collateral ventilation," N. Engl. J. Med., 298(1):49-50, 1978.

Menkes, H., et al., "Influence of Surface Forces on Collateral Ventilation," *Journal of Applied Physiology*, 31(4):544-549, 1971.

Panettieri, R., "Chronic Obstructive Pulmonary Disease," *Lippincott's Pathophysiology Series: Pulmonary Pathophysiology*, pp. 93-107, Grippi, M., et al., eds., J.B. Lippincott Company, Philadelphia, PA, 1995.

Pulmonary and Critical Care Medicine. Interventional Bronchoscopy with Stent Implant: Stents. Viewed at: http://view.vcu.edu/pulm-ccm/stents.htm Viewed on Aug. 26, 2002. 2 pages.

Rendina, E., et al., "Feasibility and safety of the airway bypass procedure for patients with emphysema," *J. Thorac. Cardiovasc. Surg.*, 125:1294-1299, 2003.

Terry, P., et al., "Collateral Ventilation in Man," *The New England Journal of Medicine*, 298(1):10-15, 1978.

Wagner, E., et al., "Direct Assessment of Small Airways Reactivity in Human Subjects," *Am. J. Respir. Crit. Care Med.*, 157:447-452, 1998

Woolcock, A., et al., "Mechanical Factors Influencing Collateral Ventilation in Human, Dog and Pig Lungs," *Journal of Applied Physiology*, 30(1):99-115, 1971.

Morrell et al., "Collateral ventilation and gas exchange in emphysema", Am J Respir Crit Care Med; (3); Sep. 1994: pp. 635-641.

<sup>\*</sup> cited by examiner

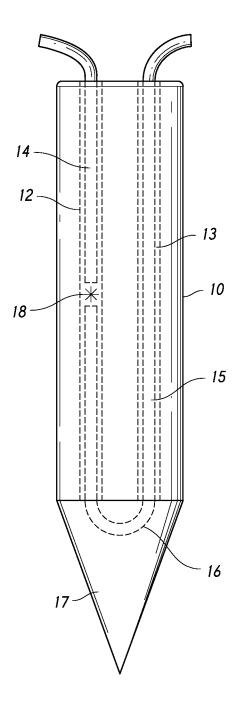


FIG. 1

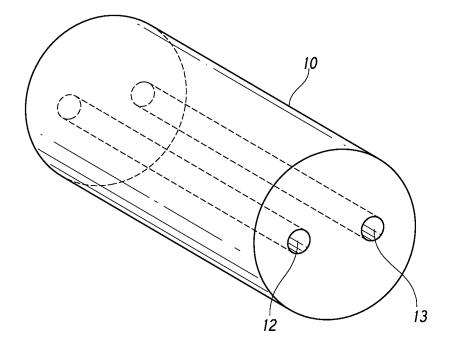


FIG. 2

1

## METHODS AND DEVICES FOR ABLATION OF TISSUE

## CROSS-REFERENCE TO RELATED APPLICATIONS

The present application claims priority to U.S. Provisional Application Ser. No. 61/486,206 filed May 13, 2011 and U.S. Provisional Application No. 61/485,621 filed May 13, 2011; and is a continuation-in-part of U.S. application Ser. No. 13/107,720 filed May 13, 2011 and U.S. application Ser. No. 13/107,759 filed May 13, 2011, the contents of each of which are incorporated herein by reference in their entirety.

## FIELD OF THE INVENTION

This application is directed to methods and devices for ablating tissue. The procedures described herein may be performed in various regions of the body.

### BACKGROUND

Procedures have involved the insertion of an electrode directly into tumors, with a ground electrode positioned elsewhere on a patient or utilizing a bipolar electrode array. RF is sent through the electrode to generate heat in the tumor in an attempt to kill the tumor. The problem with these procedures is that generating heat around an electrode within a tumor may cause the tumor to desiccate. This increases impedance within the tumor and reduces current flow such that there isn't enough current flow to heat through and destroy the entire tumor. Multiple electrodes have been inserted into a tumor and the electrodes have been multiplexed in an attempt to energize each electrode and generate heat, however, this has shown to be complex and not very effective.

Therefore, there remains a need for a more effective and efficient apparatus and method for ablating tissue in a minimally invasive manner.

## **SUMMARY**

Various apparatus and methods for ablating tissue are described therein.

In certain variations, a method for ablating tissue may include one or more of the following steps. One or more 45 electrodes, e.g., a first electrode and a second electrode, may be advanced to or near a target tissue in a subject. The electrodes may be energized such that the electrodes create a plasma arc. The plasma are generates heat which desiccates or ablates the target tissue.

An apparatus for ablating tissue may include an elongate instrument, e.g., a tube or rod. One or more electrodes, e.g., a first electrode and a second electrode, may be positioned in the elongate instrument, e.g., within channels, lumensor bores in the elongate instrument. The electrodes may be energized such that the electrodes create a plasma arc for generating heat to desiccate or ablate a target tissue.

In certain variations, various ablation methods and apparatus described herein may be guided to or near a target tissue or may access a target tissue or tumor by being advanced into 60 and through an airway, through an opening or extra-anatomic opening created in an airway wall and to or near the target tissue or tumor beyond, at, outside or near the created opening. In other variations, the methods and apparatus described herein may be utilized to perform ablation procedures in 65 various regions of the body utilizing various access techniques.

2

This application is also related to the following applications 61/485,621, filed on May 13, 2011; Ser. No. 13/107,720, filed on May 13, 2011; Ser. No. 13/107,759, filed on May 13, 2011; 61/563,369 filed Nov. 23, 2011; Ser. No. 11/538,950 filed Oct. 5, 2006; Ser. No. 12/939,968 filed Nov. 4, 2010; Ser. No. 12/939,961 filed Nov. 4, 2010; Ser. No. 12/939,956 filed Nov. 4, 2010 and the patent application filed on the same day as the present application and titled "METHODS AND DEVICES FOR EXCISION OF TISSUE"; the contents of each of which are incorporated herein by reference in their entirety.

## BRIEF DESCRIPTION OF THE DRAWINGS

15 FIG. 1 illustrates a variation of an apparatus for ablating tissue.

FIG. 2 illustrates a cross section of a variation of an elongate instrument of an apparatus for ablating tissue.

### DETAILED DESCRIPTION

Various apparatus and methods for ablating tissue in a subject are described herein. Ablation may be performed on various types of tissues in various regions of the body, including, e.g., the lung. Various types of tissue may be ablated, including, e.g., diseased tissue or tumors. In certain variations, ablation may be performed on blood vessels supplying blood to a tumor or other diseased or cancerous tissue. In certain variations, the procedures described herein may be performed through an opening, port or channel through an airway wall.

An apparatus for ablating tissue may include a heat source. The heat source may generate heat or heated steam to ablate a target tissue. A method for ablating tissue may include advancing a heat source to, near or in the proximity of a target tissue. The heat source may be left in position, next to or inside the target tissue where the heat source generates heat which desiccates, ablates, chars, vaporizes, and/or destroys the target tissue.

Various heat sources may be utilized to ablate tissue. In one variation, an apparatus for ablating tissue may include one or more electrodes. For example, on apparatus may include two electrodes. The distal ends of the electrodes may be spaced apart such that when the electrodes are energized, a plasma or a plasma arc may be formed across the gap or space between the electrodes, creating or generating heat or steam for ablating tissue. The electrodes may be energized to generate heat to desiccate or kill target tissue and/or the blood vessels supplying blood to such tissue. The electrodes may be positioned within or may extend from an elongate instrument, such as a tube, shaft or other device.

FIG. 1 shows one variation of an apparatus for ablating tissue. The apparatus may include an elongate instrument 10, e.g., a rod, tube shaft or sheath. The elongate instrument 10 may include one or more lumens, bores or channels. For example, the elongate instrument 10 may include a first channel 12 and a second channel 13 for holding or enclosing one more electrodes (e.g., as shown in FIG. 2). A first electrode 14 may be positioned in the first channel 12 and a second electrode 15 may be positioned in the second channel 13. The distal ends (or other portion) of the first and second electrodes 14, 15 may be spaced apart such that when the electrodes are energized an electrical arc, plasma (ionized gas), or a plasma arc 18 may be formed between the electrodes, across the gap or space between the electrodes, creating or generating heat for ablating, desiccating, and/or killing tissue. The heat or plasma may create temperatures ranging from about 1000 to

about 6000 degrees C. or about 1500 to about 2000 degrees C. A heated steam may be created between the electrodes and the heated steam may coil, flow, expand or spread out and ablate and kill the target tissue. The electrodes or wires may be connected to a generator (e.g., a radiofrequency (RF) generator) as a source of energy, e.g., high frequency energy or electricity. The plasma or plasma arc may be bright.

As shown in FIG. 1, second electrode 15 may extend along a longitudinal axis of the elongate instrument 10. Second electrode 15 may also include an arc 16 or turn, positioned at the distal end of the elongate instrument 10. The arc 16 may extend into a cap 17 or tip of the elongate instrument 10. The cap 17 or tip may be pointed or cone shaped and may include a conductive material. The energized second electrode 15 may transmit energy, e.g., heat or electrical current, through the conductive cap 17, to create a cutter or cutting element. For example, the energized conductive cap 17 may be used to cut or create an opening through an airway wall and/or to cut through parenchyma or lung tissue when the conductive cap 20 17 is advanced through an airway wall and/or into parenchyma or lung tissue to access a target tissue. Optionally, at least a portion of second electrode 15 may extend into a first channel 12 as well.

The elongate instrument 10 may be in the form of a tube or 25 cylinder made from glass, quartz, ceramic, or similar material or any material having a high melting point, able to withstand high temperatures. The tube or cylinder may include one or more channels, lumens or bores. One or more electrodes or wires may be positioned in the channels, lumens or bores of 30 the tube or cylinder or otherwise within the elongate instrument. The electrodes may include a variety of materials. For example, tungsten, molybdenum, carbon, stainless steel or any other materials having similar properties or materials having a high melting point. The electrodes may have a vari- 35 ety of shapes or configurations, e.g., having straight or curved portions. The electrodes may be positioned in a channel that is either open to air or sealed. If sealed, the channel could be in a vacuum or filled with an inert gas. Alternatively, the channel may be melted around the electrodes, leaving no 40 space at all. In certain variations, an elongate instrument, a tube or cylinder may encapsulate the electrodes and trap any released vapor or gas emitted from the electrodes, e.g., tungsten vapor, to prevent or reduce the emission of vapor or gas into a patient's body. In certain variations, an elongate instru- 45 ment may be with or without channels.

The apparatus or electrodes for ablating tissue may be monopolar or bipolar. For example, in certain variations, a ground plate or ground electrode may be utilized. The electrodes or wires may be affixed or melted to the elongate 50 instrument to prevent the electrode wires from moving within the elongate instrument. For example, a laser welder may be used to administer heat through a glass tube to melt the electrodes or wires to the glass tube.

In certain variations, an apparatus for ablating tissue may 55 include one or more electrodes or conductive wires or elements for generating heat between the electrodes or wires, and/or creating plasma or a plasma arc between the electrodes, to heat and ablate tissue. The electrodes or wires may or may not be encapsulated or positioned within an elongate instrument, e.g., a tube or cylinder. In certain variations, the electrodes may extend outside of an elongate instrument to form plasma or otherwise generate heat outside of the elongate instrument. Optionally, the ends of electrodes utilized herein may be melted or shaped to provide an anode or cathode configuration. For this, each tip must be electrified and there may be no grounding plate. The grounding plate could

4

be utilized for cutting a tract or path if the conductive wire or element most distal is one electrode and the grounding plate is the other electrode.

In one variation, a method for ablating a target tissue, e.g., a tumor, (lung or other), tissue surrounding a tumor, or blood vessels supplying blood to a tumor, may include one or more of the following steps. The elongate instrument may be navigated within the subject. For example, in the lung, the elongate instrument may be advanced within a lumen of an airway in the lung. The elongate instrument may be advanced to, near or in proximity to the target tissue. One or more electrodes positioned within the elongate instrument may be energized and may transmit energy, e.g., heat or electrical current, through a conductive distal portion or cap of the elongate instrument, providing a cutting or piercing member or tip for cutting or piercing through tissue. For example, for procedures in the lung, the energized distal portion or cap may be advanced through an airway wall, creating an opening or port through the airway wall and/or through or into the parenchyma or lung tissue. Alternately, a non-energy based tunneling device, such as a blunt dissection probe navigation and access system as described below and in U.S. patent applications: U.S. Pat. Application 61/485,621, filed on May 13, 2011; Ser. No. 13/107,720, filed on May 13, 2011; Ser. No. 13/107,759, filed on May 13, 2011; and 61/563,369 filed Nov. 23, 2011, the contents of each of which are incorporated herein by reference in their entirety, may be employed to create the opening in the airway wall and/or the tunnel to access the target tissue.

The elongate instrument and electrodes positioned therein may be advanced next to or near the target tissue or tumor or into the target tissue or tumor. The electrodes are energized (e.g., an electrical current flows through the electrode) such that a plasma or plasma arc is created between the electrodes. The electrodes and/or the plasma may generate heat to desiccate and kill the target tissue, e.g., the tumor or the blood vessels surrounding a target tissue or tumor, thereby cutting off the blood supply to the tumor. Ablation may be performed around the tumor to cut off its blood supply, e.g., in a couple of places around the tumor or all around the tumor. A crater may be ablated around the target tissue or tumor to kill the target tissue. A heated steam may be created between the electrodes and the heated steam may coil or spread out and ablate and kill the target tissue. The elongate instrument and energized electrodes are allowed to remain in place within or near the target tissue for a certain time interval or until ablation of the target tissue is achieved. Indeed, the elongate instrument and electrodes may be positioned in or near the target tissue for an amount of time sufficient to allow heat to radiate from the electrodes and/or plasma arc, and through the tissue to desiccate, ablate vaporize and/or kill the target tissue. Radiation of heat through the target tissue may improve or increase as the tissue desiccates.

In one variation, the plasma arc may remain activated and may deliver heat to the target tissue for about 0 to 5 minutes. In certain variations, the plasma arc between the electrodes may generate heat until the electrodes are burned off and the plasma arc dissipates. The apparatus may then be disposed. In certain variations, the electricity provided to the electrodes may be pulsed to avoid burning off the electrodes or to cool the electrodes such that the electrodes may last for a longer duration. In certain variations a fluid or gas may be circulated, e.g., on, in or around the elongate instrument, to provide active cooling of the electrodes.

Various imaging technologies (e.g. MRI, CT, PET, fluoroscopy, etc) may be utilized to monitor the shrinkage of a tumor or target tissue as the tumor or other target tissue or the

blood vessels supplying blood to the tumor are ablated using the apparatus and/or methods described herein. Alternatively, the light generated by the electrodes and/or the plasma or plasma arc may provide feedback, e.g. rapid feedback, regarding the location of the apparatus or the electrodes and plasma arc in the patient, e.g., when using visualization technology. The light may also be visible through the patient's skin, e.g., through the chest wall when the apparatus is positioned in the lung, allowing for localization of the apparatus by transillumination or direct visualization feedback.

In certain variations, the apparatus and methods described herein may be utilized in a region of the patient's body where one or more or multiple tumors are present. For example, tumors present in an upper lobe, lower lobe, and/or right or left side of a lung may be ablated using the apparatus and methods described herein. The apparatus may be advanced into tissue of a lung via an opening created through an airway wall, where the apparatus may be used to ablate multiple tumors and/or their corresponding blood vessels while the 20 apparatus is positioned within the lung. The tumors or nodules may each be ablated, cooked or killed, e.g., in seconds to a minute or minutes, allowing multiple tumors or nodules to be ablated in a relatively short period of time. The apparatus and methods described herein may be used for performing 25 ablation in various regions of a patient's body, e.g., the lung, liver, and/or brain.

The energized electrodes or the plasma may create a vapor, e.g., a tungsten vapor when tungsten electrodes are utilized. Various devices for encapsulating the vapor such that the 30 vapor is not released into a patient's body are provided. As described supra, the electrodes and plasma may be encapsulated within an elongate instrument, e.g., a glass tube (quartz glass or regular glass), which has a space for capturing the tungsten vapor. The glass tube may have dual channels in 35 which electrodes may be positioned. The vapor may be captured within a channel and/or in a separate space or pocket within the elongate instrument or glass tube.

In one variation, a glass tube is provided for encapsulating one or more electrodes or microelectrodes. The glass tube 40 ture gauge may be positioned in an elongate instrument, e.g., may have a diameter ranging from about 1.0 to about 2.0 millimeters, e.g., about 1.4 millimeters. The glass tube includes one or more channels or bores having a diameter similar in size or slightly larger than the size of the electrode or wire (e.g., tungsten) to be positioned therein and an outside 45 diameter having a size sufficient to allow the apparatus to be fed down the working channel of common endoscopes or bronchoscopes.

In one variation, a method for creating a dual channel glass (or similar material) tube for encapsulating energized tung- 50 sten electrodes and the resulting tungsten vapor includes one or more of the following steps. A glass tube is heated such that the glass may melt around one or more tungsten electrodes. A balloon (e.g., a nylon balloon) may be positioned between the electrodes, and may remain in between the electrodes as the 55 glass is melted around the electrodes and the balloon, creating a bubble between the electrodes. Once the melting is complete and the tube having tungsten electrodes secured therein is complete, the electrodes may be energized or activated, burning away the balloon which leaves a space between the 60 electrodes that was previously occupied by the balloon. The energized electrodes create a plasma or plasma arc across that space. The glass tube surrounds, encapsulates or encloses the electrodes and the plasma arc and may capture any released gasses or vapor, e.g., tungsten vapor. Tubes for encapsulated other types of electrodes and their resulting vapor may also be created in accordance with the above manner.

Electrodes encapsulated or enclosed in a glass tube or other elongate instrument may not oxidize or may experience minimal oxidation, allowing the electrodes to remain energized and/or burn for an extended amount of time, avoiding a rapid burn off. The encapsulated electrodes have strong conduction and generate heat sufficient for ablating tissue. Over time, the heat may melt the tube, and once the tube is melted around and/or between the electrodes to a point where the plasma arc and/or electrical arc and/or heat or heated steam is no longer generated, the apparatus may be disposed. In other variations, an elongate instrument or glass tube may be reusable where the electrodes may be replaced after use with new electrodes.

In another variation, a tungsten wire may be bonded to molybdenum either mechanically or by laser welding and a glass tube may be melted and/or bonded to the molybdenum for a stronger or improved bonding or connection between the glass and the electrodes. During melting of the glass, air/inert gas can be blown into the center of the glass tube or the formed pocket may later be filled with argon or other material. The tungsten can also be released, marking the area with a radio-opaque and MRI visible material.

In any of the above variations, a nose cone or cap of various configurations or pointed tip may be fused or attached to the distal end of the elongate instrument over an electrode. This provides a cover or distal end to the apparatus or elongate instrument, which may have a variety of shapes or configurations depending on the particular use. The cap may conduct energy (e.g., electricity or heat) and act as a piercing member or cutter. Alternatively or in addition, the cap may have sharpened or pointed end to allow for mechanical piercing or cutting.

In certain variations, glass utilized in any of the apparatus described herein may be metallized by inserting metal particles in the glass. Optionally, a sheath (e.g., a metal sheath) may be positioned around a glass tube, which provides a differing profile for temperature or delivery. For example, a thick metal may maintain a high temperature for a longer

In any of the above variations, a thermocouple or temperain a channel or bore within the elongate instrument. The thermocouple or temperature gauge may measure the temperature of the tissue and provide feedback regarding whether or not the ablation treatment is completed or not. In certain variations, a table may be utilized which provides parameters for how long tissue should be heated based on the size of a tumor or target tissue mass and/or distance of the device from the tumor. An MRI signature may also be used to determine the temperature of the tissue as it is heated.

In certain variations, a reflector may be utilized to direct heat in a certain direction. For example, a metalized reflector may be positioned on one side of the apparatus such that all of the heat is directed to the opposite side of the apparatus. In certain variations, the elongate instrument may be parabolic and/or radiopaque to facilitate proper orientation of the elongate instrument and the electrodes during use.

The various ablating apparatus described herein, may be guided or navigated to the target tissue or tumor and/or the target tissue or tumor May be located using one or more imaging technologies, such as, x-ray, CT, MRI, fluoroscopy

In certain variations, various ablation methods and apparatus described herein may be guided to or may access a target tissue or tumor by being advanced into and through an airway, through an opening or extra-anatomic opening created in an airway wall and to the target tissue or tumor beyond, at or near the created opening, where the target tissue is located in the lung, outside the lung or in another area of the body.

In certain variations, methods or platforms for accessing target tissues (e.g., diseased tissue, tumors, parenchyma or other tissues or structures) in a lung or other area of the body, through an opening, extra-anatomic opening or port through the airway wall may be utilized to access a target tissue with 5 any of the ablation apparatus or methods described herein. The target tissue may be located outside of the airway in which the opening is created or beyond the airway wall, e.g., in the parenchyma of the lung.

Access to the central airways may be achieved by using a standard bronchoscope or other scope or elongate instrument. A target site or point in a larger airway or central airway or smaller airway may be determined or selected, which may allow a straight or substantially straight tunnel, channel or path to be created leading directly to the target tissue. Once 15 the target site on the airway wall is located an opening is created through the airway wall at the target site on the wall by advancing a piercing member or needle to the target site and through the airway wall at the target site. The created opening may be dilated with a balloon catheter or other expandable 20 device.

Once the opening has been dilated, a sheath or other elongate instrument may be fed through the hole or opening and into the lung tissue. The sheath may contain a dissecting catheter and the tip of the dissecting catheter may be sharp to 25 tunnel through tissue or it may be blunt or rounded to allow it to tunnel without perforating blood vessels or other structures. The tip may tunnel or advance through the lung tissue in a substantially straight path where turns are minimized or eliminated. Once the sheath and dissecting catheter are fed to 30 or near the target tissue or tumor, the dissecting catheter may be removed, with the sheath remaining in position to be used to access the target tissue or tumor and to deliver any of the various ablation apparatus described herein to or near the target tissue or tumor to perform ablation. Various imaging 35 techniques may be utilized to guide the bronchoscope and piercing member and to guide the sheath, dissecting catheter, and/or ablation apparatus through the airway to the target site on the airway wall and/or to the target tissue for removal. Imaging techniques may include fluoroscopy, computed 40 tomography, positron emission technology, magnetic resonance imaging, or ultrasound.

In certain variations, the multiple steps of the above procedure, i.e., creating an opening in the airway wall, going through the opening to dilate it and/or extending an instrument or apparatus through the opening to access a target tissue for ablation, may be performed with a single device or with more than one device. For example, a multi purpose device, e.g., a variation of an ablation apparatus as described herein, may create an opening with an energized piercing tip, and be advanced through the opening to dilate the opening and/or access a target tissue to perform ablation. Alternatively, the above procedure may be performed with more than one device, e.g., utilizing separate devices to create an opening, to dilate the opening and/or access a target tissue via the created opening with an ablation apparatus (as described herein) to ablate tissue.

The various ablation methods or apparatus described herein may also be guided or navigated to or may access a target tissue or tumor using any of the various devices or 60 methods for creating an extra-anatomic opening in an airway wall and/or accessing tissue through an extra-anatomic opening through an airway wall as described in the following: U.S. patent applications: 61/485,621, filed on May 13, 2011; Ser. No. 13/107,720, filed on May 13, 2011; Ser. No. 13/107,759, 65 filed on May 13, 2011; 61/563,369 filed Nov. 23, 2011; Ser. No. 11/538,950 filed Oct. 5, 2006; Ser. No. 12/939,968 filed

8

Nov. 4, 2010; Ser. No. 12/939,961 filed Nov. 4, 2010; and Ser. No. 12/939,956 filed Nov. 4, 2010; the contents of each of which are incorporated herein by reference in their entirety.

In certain variations, any of the imaging technologies described above may be incorporated into an ablation apparatus or may be performed through an elongate instrument of the apparatus such that navigation or tracking, tissue cutting, and tissue ablation may be performed by a single device or, alternatively, by multiple devices provided via the elongate instrument or other instrument.

Any of the variations described herein may used for cutting or ablating tissue in any region of the body, e.g., the lung, liver, or brain via various access points, utilizing minimally invasive or open surgery techniques.

All publications, patent applications, patents, and other references mentioned herein are incorporated by reference in their entirety. To the extent there is a conflict in a meaning of a term, or otherwise, the present application will control. Although variations of the foregoing invention has been described in some detail by way of illustration and example for purposes of clarity of understanding, it will be readily apparent to those of ordinary skill in the art in light of the teachings of this invention that certain changes and modifications may be made thereto without departing from the spirit or scope of the appended claims. It is also contemplated that combinations of the above described embodiments/variations or combinations of the specific aspects of the above described embodiments/variations are within the scope of this disclosure

Each of the individual variations described and illustrated herein has discrete components and features which may be readily separated from or combined with the features of any of the other variations. Modifications may be made to adapt a particular situation, material, composition of matter, process, process act(s) or step(s) to the objective(s), spirit or scope of the present invention.

Methods recited herein may be carried out in any order of the recited events which is logically possible, as well as the recited order of events. Furthermore, where a range of values is provided, every intervening value between the upper and lower limit of that range and any other stated or intervening value in that stated range is encompassed within the invention. Also, any optional feature of the inventive variations described may be set forth and claimed independently, or in combination with any one or more of the features described herein.

All existing subject matter mentioned herein (e.g., publications, patents, patent applications and hardware) is incorporated by reference herein in its entirety except insofar as the subject matter may conflict with that of the present invention (in which case what is present herein shall prevail). The referenced items are provided solely for their disclosure prior to the filing date of the present application. Nothing herein is to be construed as an admission that the present invention is not entitled to antedate such material by virtue of prior invention.

Reference to a singular item, includes the possibility that there are plural of the same items present. More specifically, as used herein and in the appended claims, the singular forms "a," "an," "said" and "the" include plural referents unless the context clearly dictates otherwise. It is further noted that the claims may be drafted to exclude any optional element. As such, this statement is intended to serve as antecedent basis for use of such exclusive terminology as "solely," "only" and the like in connection with the recitation of claim elements, or use of a "negative" limitation. Unless defined otherwise, all technical and scientific terms used herein have the same

9

meaning as commonly understood by one of ordinary skill in the art to which this invention belongs.

This disclosure is not intended to be limited to the scope of the particular forms set forth, but is intended to cover alternatives, modifications, and equivalents of the variations 5 described herein. Further, the scope of the disclosure fully encompasses other variations that may become obvious to those skilled in the art in view of this disclosure. The scope of the present invention is limited only by the appended claims.

#### I claim

- A method for ablating tissue, the method comprising: advancing an instrument having a first electrode and a second electrode to or near a target tissue in a subject; and
- energizing the electrodes such that the electrodes create a plasma arc encapsulated within the instrument, wherein the plasma arc generates heat; and ablating the target tissue using the heat generated by the plasma arc.
- **2**. The method of claim **1**, wherein the plasma arc is positioned next to a tumor such that the heat desiccates or ablates blood vessels supplying blood to the tumor.
- 3. The method of claim 1, wherein the plasma arc generates a heated steam which desiccates and ablates the target tissue.
- **4**. The method of claim **1**, wherein the first and second <sup>25</sup> electrodes are positioned within an elongate instrument, wherein the elongate instrument comprises an electrical cutting distal tip for cutting tissue to advance the electrodes to the target tissue.
- 5. The method of claim 1, wherein light generated by the  $^{30}$  plasma arc provides feedback regarding the localization of the plasma arc in the patient.
- **6**. The method of claim **5**, wherein the light is visible through the subject's skin, e.g., allowing for localization of the apparatus.
- 7. The method of claim 1, further comprising, providing imaging to monitor target tissue shrinkage.
- **8**. The method of claim wherein the first and second electrodes are advanced through an
  - opening through an airway wall to position the plasma arc and enext to a target tissue or tumor in the lung.
- 9. The method of claim 1, wherein the heat or plasma arc may create temperatures ranging

from about 1000 to about 6000 degrees C.

10

- 10. An apparatus for ablating tissue comprising: an elongate instrument;
- a first electrode and a second electrode enclosed by a wall of the elongate instrument, wherein the wall of the elongate instrument enclosing the electrodes is glass, and wherein the electrodes are configured to create a plasma arc within the instrument for generating heat which is thermally conducted through the wall at the elongate instrument to the tissue to be ablated, and wherein said wall is shaped and positioned around the electrodes such that the plasma arc is captured by said elongate instrument.
- 11. The apparatus of claim 10, wherein the elongate instrument comprises a tube having a
  - first channel and a second channel, wherein at least a portion of the first electrode is positioned within the first channel and at least a portion of the second electrode is positioned in the second channel.
- 12. The apparatus of claim 10, wherein the elongate instrument is configured to encapsulate vapor released from the electrodes.
- 13. The apparatus of claim 10, wherein the electrodes are configured to burn off after a period of time.
- 14. The apparatus of claim 10, wherein the electrodes are made from tungsten or molybdenum.
- 15. The apparatus of claim 10, wherein the elongate instrument comprises a conductive cap positioned at a distal end of the elongate instrument, wherein a portion of the second electrode is positioned within the cap, such that the cap functions as an electrical cutter.
- 16. The apparatus of claim 10, further comprising an imaging mechanism for guiding or

tracking the apparatus.

- 17. The apparatus of claim 10, wherein light generated by the plasma arc provides feedback
- regarding the localization of the plasma arc in the patient using.
- 18. The apparatus of claim 10, wherein the heat or plasma may create temperatures ranging

from about 1000 to about 6000 degrees C.

- 19. The apparatus of claim 10, wherein the elongate instrument is configured to be advanced
  - through an opening through an airway wall to position the plasma arc next to a target tissue or tumor in a lung.

\* \* \* \* \*